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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,006	08/20/2003	Haruyuki Kunisada	1081.1182	4865

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EXAMINER
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VU, KIEU D

ART UNIT	PAPER NUMBER
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2173

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11/14/2007

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/644,006	<b>Applicant(s)</b> KUNISADA, HARUYUKI	
	<b>Examiner</b> Kieu D. Vu	<b>Art Unit</b> 2173	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 10/20/07.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-5,7,8,10-12,14,15,17 and 18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-5,7,8,10-12,14,15,17 and 18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This Office action is responsive to the Request for Continued Examination (RCE) filed under 37 CFR §1.53(d) for the instant application on 10/20/07. Applicants have properly set forth the RCE, which has been entered into the application, and an examination on the merits follows herewith.

2. Claims 1, 3-5, 7-8, 10-12, 14-15, and 17-18 are pending.

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1, 3-5, 7-8, 10-12, 14-15, and 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hitoshi (Japan Application Publication 2000-035847, date of publication Feb, 02, 2000) and Oran et al ("Oran", USP 5757371).

Regarding claims 1, 8, and 15, Hitoshi teaches an information processing apparatus (the apparatus in Drawing 1, see [0019] of Detailed Description) for processing information and performing a plural window displays (windows 21a, 21b, 21c) on a display device (display unit 21) (Drawing 8, see [0031] [0032] of Detailed Description), comprising: a screen memory for the display device (Drawing 3, see [0022] of Detailed Description); and a processing unit (central processing unit 1 of Drawing 1, see [0021] of Detailed Description) for outputting image data of the specific window of the screen memory to an external monitor (Drawings 6-8, see [0027], [0028],

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[0031] of Detailed Description). Hitoshi further teaches said processing unit executes plural tasks being started and displays each window according to said plural tasks on the display device and a selection menu of the external monitor output in the window of the display device (buttons 214 in Drawing 8, [0033] of Detailed Description) to select said specific window whose said image data is output to said external monitor by said processing unit to be displayed (abstract, [0033]). Hitoshi differs from the claims in that Hitoshi does not teach that said selection menu is displayed on a menu bar of each of plural window displays. Oran teaches a taskbar that includes selection menu to select specific windows/applications (see Fig. 3, Fig. 5). It would have been obvious to one of ordinary skill in the art, having the teaching of Hitoshi and Oran before him at the time the invention was made, to modify the multiple displays system taught by Hitoshi to include a task bar to select window/application taught by Oran with the motivation being to display buttons at a location that is not obscured by the windows (Oran, line 66 of col. 11 to line 1 of col. 12).

Regarding claims 3 and 10, Hitoshi teaches said processing unit outputs image data of a single effective window selected to the external monitor among plural windows of the display device (Drawing 8, [0033] of Detailed Description).

Regarding claims 4 and 11, Hitoshi in view of Oran teaches said processing unit displays the selection menus of the external monitor output with a plurality of output modes in the menu bar of the window of the display device (buttons 214, 215, 216 in Drawing 8, [0033] of Detailed Description) (Oran, Fig. 15B, col. 9, lines 10-28),

Regarding claims 5 and 12, Hitoshi teaches wherein said processing unit starts up a display application program for the output of said external monitor according to

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starting of an operating system ([0019] and [0021] of Drawing 8, [0033] of Detailed Description).

Regarding claims 7 and 14, Hitoshi teaches said processing unit executes an application for reproducing an image (reproducing window images, Drawing 8, [0033] of Detailed Description).

Regarding claims 17-18, Hitoshi in view of Oran teaches wherein said processing unit displays a plural kind of selection menus of the external monitor output to indicate an always output and an output when effective to said external monitor in the menu bar of the window of the display device (buttons 214, 215, 216 in Drawing 8, [0033] of Detailed Description) (Oran, Fig. 15B, col. 9, lines 10-28),

5. Applicant's arguments filed on 10/20/07 have been considered but they are not persuasive.

Applicant argues

"Hitoshi discloses a sub-display controlling method in which application windows (21a, 21a, 21c) displayed on a main screen (21) are displayed in sub-displays (22-24) (see Abstract and FIGS. 8-12 of Hitoshi). In FIGS. 9, 10 and 12 of Hitoshi, buttons D1, D2, D3 on the main screen 21 correspond to the sub-displays 22-24, respectively. However, these buttons allow **selecting a sub-display and not a window** from the plurality of windows (e.g. A, B, C therein) to be displayed on an external monitor. Therefore, these buttons do not suggest the "external monitor output selection menu [...] of the plural window displays, **to select said specific window**" whose image the "processing unit [outputs] [...] to an external monitor" as recited in claim 1 (emphasis ours)."

Examiner respectfully disagrees. Hitoshi teaches "they perform control such a way that they select one application window image among plural application window images shown on the device 21 and designate a sub display device on which the selected application window image is shown." See abstract. Hitoshi further teaches that

displayed buttons (214, 215, 216) are used to specify which application window screens are displayed on which sub-displays ([0033]). As a result of selecting an application window screen and selecting a button, the selected application window screen will be displayed on the sub-display corresponding to the selected button ([0033]). As such, it is clear that Hitoshi teaches displaying **external monitor output selection menu to select a specific window whose image data is output to an external monitor.**

Applicant argues

"Moreover, the Office Action alleges that the motivation for combining Hitoshi and Oran is "to display buttons at a location that is not obscured by the windows." However, this does not appear to be a problem of Hitoshi that needs to be solved by Oran's teachings. The Supreme Court's decision in KSR International. Co. v. Teleflex, Inc., et al., 550 U.S. (2007) maintains that the Office Action must establish "an apparent reason to combine ... known elements." (KSR Opinion at page 4) and must expressly articulate the underlying analysis supporting a proffered "apparent reason." Therefore, Applicant respectfully submits that the Office Action fails to substantiate a reason of combining Hitoshi and Oran's teachings.

Examiner disagrees. As seen in Fig. 8 of Hitoshi, there is no specific designation area to display buttons, if there are buttons, for example, D4, D5, D6 to be displayed, the displayed buttons D4, D5, D6 may be obscured by screen 21c and will not be easily seen or accessed to. Oran teaches displaying a bar showing all buttons associating with opened applications. As seen in Fig. 5, Oran's taskbar is displayed at the very edge of the screen and is not obscured by opened windows (line 66 of col. 11 to line 1 of col. 12). Therefore, it would have been obvious to one of ordinary skill in the art, having the teaching of Hitoshi and Oran before him at the time the invention was made, to modify the multiple displays system taught by Hitoshi to include a task bar to select window/application taught by Oran with the motivation being to display buttons at a location that is not obscured by the windows.

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7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4057.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached at 571-272-4048.


The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

571-273-8300

and / or:

571-273-4057 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Kieu D. Vu  
Primary Examiner